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FILED IN THE U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

Sep 26, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

Plaintiff,

v.

MARLENE B.,

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

NO: 4:22-CV-5024-RMP

ORDER GRANTING PARTIES' STIPULATED MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 11. Plaintiff Marlene B.¹ is represented by attorney Chad Hatfield. The Commissioner of Social Security is represented by Special Assistant United States Attorney Jeffrey Staples.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 11**, is **GRANTED**. Pursuant to the parties'

¹ The Court uses Plaintiff's first name and last initial to protect his privacy.

1	stipulation, the Commissioner's final decision is reversed and remanded for
2	further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand
3	the Commissioner will instruct the Administrative Law Judge ("ALJ") to offer
4	Plaintiff the opportunity for a new hearing and issue a new decision. <i>See</i> ECF No.
5	11 at 1–2. The ALJ should further develop the record as to Plaintiff's vascular
6	gliosis and obtain the testimony of a medical expert, as appropriate, and reevaluate
7	Plaintiff's residual functional capacity step-five findings. See ECF Nos. 11 and 11-
8	1.
9	Upon proper presentation, this Court will consider Plaintiff's application for
10	costs and attorney's fees under 28 U.S.C. §§ 1920, 2412(d).
11	IT IS FURTHER ORDERED that Plaintiff's Motion for Summary
12	Judgment, ECF No. 10, is DENIED AS MOOT.
13	IT IS SO ORDERED. The District Court Clerk is directed to enter this
14	Order and provide copies to counsel, enter judgment in favor of Plaintiff, and close
15	the file.
16	DATED September 26, 2022.
17	
18	s/Rosanna Malouf Peterson ROSANNA MALOUF PETERSON
19	Senior United States District Judge
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ORDER GRANTING PARTIES' STIPULATED MOTION TO REMAND ~ 2